

**DURHAM, NORTH CAROLINA  
AUGUST 6, 2007  
7:00 P.M.**

The Durham City Council met in regular session on the above date and time in the Council Chambers at City Hall with the following members present: Mayor Bell, Mayor Pro Tempore Cole-McFadden, Council Member Brown, Council Member Catotti, Council Member Clement, Council Member Stith, and Council Member Woodard.  
Absent: None.

Also present: City Manager Patrick Baker, City Attorney Henry Blinder, City Clerk D. Ann Gray and Deputy City Clerk Linda Bratcher.

Mayor Bell called the meeting to order with a moment of silent meditation and the Pledge of Allegiance led by Council Member Clement.

**CEREMONIAL ITEMS/ANNOUNCEMENTS BY CITY COUNCIL**

Mayor Pro Tempore Cole-McFadden introduced Dr. Charlie Nelms as the newest Chancellor of North Carolina Central University who made comments.

Mayor Pro Tempore Cole-McFadden made comments regarding the incoming 3rd Durham Youth Council.

President Angelica Powell of the Durham Youth Council made comments.

Kim Moss, of the Office on Youth, made comments on the future leaders.

City Clerk D. Ann Gray swore in the following 2007-08 Durham Youth Council:

Camille McGirt, Anna Selig, Chris Bassil, Shivani Sud, Brian Daniels II, Eboni Celestain, Gralen Langley, Clarence Hargett, Jimmy Woods, Jamal Brown, Amy Fernandez, Juan Cruz, Tevin Armstrong, Omolara Glenn, T'la-neaka Duncan, Mariana Coles-Curtis, Sydney Brunson, Nedra Snipes, Kristen Daniels, Carmen Jones, Terry DeShazo, Pateryl Hargett, Diondra Cooper, Bryana Davis, Alessandra Ferguson, Jameka Johnsonm Trevon Spence, Hannah Falgout, Alex Catotti , Erin Turner, Zasha Cannady, Precious Powell and Angelica Powell

Mayor Pro Tempore Cole-McFadden commented on how the Youth Council came into existence thanking DeWarren Langley for his vision.

The City Council wished City Manager Patrick Baker a Happy Birthday.

Mayor Bell read the following proclamations: Healing with CAARE, Inc. that was presented to Executive Director Pat Amaechi who made comments; August 2007 as Durham Firefighter Appreciation Month presented to Fire Chief Bruce T. Pagan, Jr. who

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made comments and August 7, 2007 as National Night Out presented to Community Services Bureau, Crime Prevention Unit and Asset Protection Managers from Target - Sharrod Hilliard and Jeff Settle.

Mayor Bell recognized the National Conference of Black Mayors 2007 scholarship recipients: Laura Stanley - Southern High School and Stephon Pettway - Hillside High School.

Council Member Woodard recognized management and residents of Azalea Park for their outstanding accomplishments and on winning the National Neighborhood Watch Excellence Award from the National Sheriff's Association. Representatives from Azalea Park made comments.

City Council Members made comments on the following events attended and special recognition of individuals, organizations, etc.

Council Member Clement: graduates of the Durham Workforce Development Board Workforce Investment Act Program, Economic Development staff; Charles Becton, President-Elect of the North Carolina Bar Association--1st African American male; Bouncing Bull Dogs--champions for the 4th straight year and the June 1957 sit-in.

Council Member Clement asked the City Manager to the set aside a meeting by the end of the fall to recognize the June 1957 sit-in and to add this item to the August 9, 2007 City Council Work Session agenda.

Council Member Woodard - Durham Affordable Housing Coalition; World Changes Organization--responsible for several housing rehabilitation projects throughout the community; Summer Music Festival hosted by Parks and Recreation; BELT graduation of nine police officers and U S Army Reserve--welcoming home units 810 and 1439 from their tour of duty.

Mayor Pro Tempore Cole-McFadden reported on her attendance at the National League of Cities' National Black Caucus of Local Elected Officials Annual Summer Conference.

Council Member Brown: BELT graduation of nine police officers and facilities tour. He made comments on the infrastructure and bridges.

Council Member Catotti: Achievement Academy graduates--GED; and The Durham Striders for hosting the Russell E. Blunt East Coast Invitational Track and Field Meet.

Council Member Stith requested a proclamation honoring The Durham Striders to be presented at the August 20, 2007 City Council Meeting. He made comments on the rising middle school students who participated in the Student Youth activity--a collaborative effort between Duke University, N C State University, North Carolina Central University and other colleges in the area, Durham Academy and Durham Public Schools.

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Council Member Clement requested a report on the bridges in the Triangle area at the August 9, 2007 Work Session.

City Manager Baker replied the administration will give a report in one cycle.

Mayor Bell: 60th Anniversary of Hillside High School; Rev. Rodney Green; North East Baptist Church; Car and Bike Show at the Marriott and the City's picnic.

**PRIORITY ITEMS FROM THE CITY MANAGER, CITY ATTORNEY AND CITY CLERK**

Mayor Bell asked for priority items from the City Manager, City Attorney and City Clerk. There were no priority items.

Mayor Bell asked if any citizen or council member wanted to pull any items from the Consent Agenda. Agenda Items 21 [Contract with Durham Arts Council] and 25 [Resolution Authorizing the City Manager to Execute Right of Entry Agreements] were pulled from the Consent Agenda.

**MOTION** by Council Member Stith seconded by Council Member Woodard to approve the Consent Agenda as amended was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**CONSENT AGENDA**

**SUBJECT: EXTRA DUTY PAY COMPLIANCE AUDIT (APRIL 2007)**

**MOTION** by Council Member Stith seconded by Council Member Woodard to receive and accept the Extra Duty Pay Compliance Audit (April 2007) as approved at the June 25, 2007 meeting of the Audit Services Oversight Committee was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**SUBJECT: NON-CITY AGENCY PROGRAM SPECIFIC COMPLIANCE EVALUATIONS (JUNE 2007)**

**MOTION** by Council Member Stith seconded by Council Member Woodard to receive and accept the Non-City Agency Program Specific Compliance Evaluations (June 2007) report as approved at the June 25, 2007 meeting of the Audit Services Oversight Committee was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

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**SUBJECT: APPROVAL OF CITY COUNCIL MINUTES**

**MOTION** by Council Member Stith seconded by Council Member Woodard to approve City Council minutes for the following City Council meetings: May 21, 2007 - Regular Meeting; June 1, 2007 - Special Meeting; June 4, 2007 - Regular Meeting and June 18, 2007 - Regular Meeting; and

To approve City Council action taken at the May 24, 2007 and June 7, 2007 City Council Work Sessions was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**SUBJECT: HUMAN RELATIONS COMMISSION - RECEIPT AND ACCEPTANCE OF AN APPLICATION**

**MOTION** by Council Member Stith seconded by Council Member Woodard to receive and accept an application to fill one (1) vacancy on the Human Relations Commission for a Non-Minority Male vacancy with the term to expire on June 30, 2010 was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**SUBJECT: DURHAM CIVIC CENTER AUTHORITY - RECEIPT AND ACCEPTANCE OF AN APPLICATION**

**MOTION** by Council Member Stith seconded by Council Member Woodard to receive and accept an application for a citizen to fill one (1) vacancy on the Durham Civic Center Authority with the term to expire on July 31, 2010 was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**SUBJECT: HOUSING APPEALS BOARD - APPOINTMENTS**

**MOTION** by Council Member Stith seconded by Council Member Woodard to reappoint Carena Lemons as an Alternate Member to represent Law and to appoint Gene Cook as a Regular Member to represent Neighborhood Association on the Housing Appeals Board with terms to expire on June 30, 2010 was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

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**SUBJECT: CITIZENS ADVISORY COMMITTEE - APPOINTMENT**

**MOTION** by Council Member Stith seconded by Council Member Woodard to appoint Delvin Davis to fill one (1) vacancy on the Citizens Advisory Committee with a term to expire on June 30, 2009 was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**SUBJECT: RECREATION ADVISORY COMMISSION - RECEIPT AND ACCEPTANCE OF APPLICATIONS**

**MOTION** by Council Member Stith seconded by Council Member Woodard to receive and accept applications for citizens to fill four (4) vacancies on the Recreation Advisory Commission with one (1) term expiring on August 8, 2009, one term expiring August 8, 2008, and two (2) terms expiring August 8, 2010 was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**SUBJECT: BID REPORT - MAY 2007**

**MOTION** by Council Member Stith seconded by Council Member Woodard to receive a report and to record into the minutes bids which were acted upon by the City Manager during the month of May 2007 was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**Date:** June 4, 2007  
**To:** Patrick W. Baker, City Manager  
**Through:** Wanda S. Page, Deputy City Manager  
Kenneth C. Pennoyer, Finance Director  
**From:** Joseph W. Clark, Purchasing Manager  
**Subject:** Bid Report – May 2007

**Recommendation**

To receive a report and to record into the minutes bids which were acted upon by the City Manager during the month of **May 2007**.

Apparatus, Supplies, Materials, Equipment, Construction and Repairwork:

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**1. Bid: 25 16" Pedestrian Countdown LED Modules and miscellaneous hardware**

Purpose of Bid: To provide the Transportation Division with Pedestrian Countdown LED Modules.

Comments:

Opened: April 30, 2007

Bidders:	RAI Products	* \$11,502.53
	Charlotte, NC	
	Atlantic Technical Sales	\$12,344.00
	Chantilly, VA	
	Temple, Inc.	\$13,997.19
	Decatur, AL	

\*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	3		# Black Males	0	0%
Total # Females	2	67%	# White Males	1	33%
Total # Males	1	33%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	2	67%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

**2. Bid: One (1) Backhoe Tractor**

Purpose of Bid: To provide the Water & Sewer Maintenance division with a backhoe tractor.

Comments:

Opened: May 1, 2007

Bidders:	Gregory Poole Equipment Co.	* \$85,798.75
	Raleigh, NC	
	Kelly Tractor Company	\$90,299.00
	Miami, FL	

\*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

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WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	512		# Black Males	41	9%
Total # Females	68	13%	# White Males	386	75%
Total # Males	444	87%	# Other Males	17	3%
			# Black Females	5	1%
			# White Females	60	11%
			# Other Females	3	1%

The SDBE Data Base was used in the solicitation of bids for this item.

3. **Bid:** **OnBase Document Knowledge Transfer and Application  
Enabler software and associated maintenance agreement**

Purpose of Bid: The Software will be used in conjunction with the MUNIS ERP system.

Comments: Information Access Systems is the only known source for this software.

Opened: N/A

Bidders: Information Access Systems \*\$27,140.00  
Orlando, Fl

\*Awarded based on: \_\_\_\_\_ Low Bid ☒ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	11		# Black Males	0	0%
Total # Females	2	18%	# White Males	9	82%
Total # Males	9	82%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	2	18%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

4. **Bid:** **Contract Extension – Estimated Two Years Requirements for  
Swimming Pool Chemicals**

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Purpose of Bid: To provide swimming pool chemicals for parks and recreation/aquatics division.

Comments: WaterGuard has agreed to extend the contract for an additional 24 months.

Opened: July 20, 2005

Bidders: WaterGuard, Inc. \*\$12,500.00  
Wilson, NC

\*Awarded based on: X Low Bid \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	23		# Black Males	12	53%
Total # Females	6	26%	# White Males	5	21%
Total # Males	17	74%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	6	26%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

**5. Bid: Large Format Digital Color Printer/Copier/Scanner**

Purpose of Bid: To provide the Technology Solutions Department with a Large Format Digital Color Printer/Copier/Scanner. The Digital Color Printer/Copier/Scanner will be used by the GIS Division.

Comments:

Opened: May 15, 2007

Bidders: Imaging Technologies \* \$17,910.00  
Morrisville, NC  
Accent Imaging \$19,400.00  
Raleigh, NC

\*Awarded based on: X Low Bid \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS



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Total Workforce	495		# Black Males	65	13%
Total # Females	204	41%	# White Males	189	38%
Total # Males	291	59%	# Other Males	37	8%
			# Black Females	75	15%
			# White Females	101	20%
			# Other Females	28	6%

**6. Bid: Printing and Fulfillment for the Annual Water Quality Report**

Purpose of Bid: To print and distribute the Annual Water Quality Report for the Water Management Department.

Comments:

Opened: May 16, 2007

Bidders:	Theo Davis Printing	* \$17,679.00
	Zebulon, NC	
	Cary Printing	\$20,050.77
	Cary, NC	
	Cary Printing (Alternate)	\$32,527.54
	Cary, NC	

\*Awarded based on: X Low Bid \_\_\_\_\_ Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	40		# Black Males	3	7%
Total # Females	6	15%	# White Males	31	78%
Total # Males	34	85%	# Other Males	0	0%
			# Black Females	1	2%
			# White Females	5	13%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

**7. Bid: One (1) Tandem Vibratory Roller**

Purpose of Bid: To provide the Street Maintenance Division with an asphalt roller.

Comments:

Opened: April 30, 2007

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Bidders:	Arrow Equipment, LLC	* \$36,300.00
	Greensboro, NC	
	Linder Industrial Machinery Company	\$37,480.00
	Raleigh, NC	

\*Awarded based on: X Low Bid \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	25		# Black Males	0	0%
Total # Females	3	12%	# White Males	21	84%
Total # Males	22	88%	# Other Males	1	4%
			# Black Females	1	4%
			# White Females	2	8%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

**8. Bid: Trimble Mapping/GIS Surveying Systems Software and Equipment**

Purpose of Bid: To purchase surveying software for the Public Works Department.

Comments: Duncan-Parnell is the sole regional authorized seller for this software and equipment.

Opened: May 2, 2007

Bidders:	Duncan-Parnell	*\$12,370.00
	Morrisville, NC	

\*Awarded based on: \_\_\_\_\_ Low Bid X Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	179		# Black Males	16	8%
Total # Females	57	32%	# White Males	106	60%
Total # Males	122	68%	# Other Males	0	0%
			# Black Females	9	6%
			# White Females	48	26%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

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**9. Bid: Barracuda Networks Spam Firewall 400**

Purpose of Bid: To provide the Technology Solutions Department with Spam Firewall Software.

Comments:

Opened: May 10, 2007

Bidders:	Secure Enterprise Computing	* \$14,021.37
	Morrisville, NC	
	Barraguard.com	\$14,058.60
	Irvine, CA	
	CDWG	\$14,501.63
	Vernon Hills, IL	

\*Awarded based on: X Low Bid \_\_\_\_\_ Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	13		# Black Males	0	0%
Total # Females	4	31%	# White Males	9	69%
Total # Males	9	69%	# Other Males	0	0%
			# Black Females	1	8%
			# White Females	3	23%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

**10. Bid: Seven Asphalt/Soil Tampers**

Purpose of Bid: To provide the Street Maintenance Division with Soil Tampers.

Comments: Seven tampers @ \$2,347.00 each

Opened: May 22, 2007

Bidders:	United Rentals	* \$16,429.00
	Durham, NC	
	Sunbelt Rentals	\$17,380.72
	Durham, NC	

\*Awarded based on: X Low Bid \_\_\_\_\_ Other (See Comments)

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WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	24		# Black Males	1	4%
Total # Females	5	21%	# White Males	18	75%
Total # Males	19	79%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	5	21%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

11. **Bid:** **Grit Collector Chain and Parts for South Durham WRF**

Purpose of Bid: To provide WM/South Durham WRF with grit collector chain and parts.

Comments:

Opened: May 21, 2007

Bidders:	Hitachi Maxco, LTD	*\$17,560.53
	Kennesaw, GA	
	E & I Corporation	\$18,432.00
	Columbus, OH	
	Carotek, Inc.	\$21,893.20
	Matthews, NC	

\*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	34		# Black Males	2	4%
Total # Females	11	32%	# White Males	20	62%
Total # Males	23	68%	# Other Males	1	2%
			# Black Females	1	2%
			# White Females	10	30%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

12. **Bid:** **Four (4) Single Drum Asphalt Rollers**

Purpose of Bid: To provide the Street Maintenance Division with Asphalt Rollers.

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Comments: Four rollers @ \$8,607.11 each

Opened: May 21, 2007

Bidders: Sunbelt Rentals \* \$34,428.44  
Durham, NC  
United Rentals \$35,608.00  
Durham, NC

\*Awarded based on: X Low Bid \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	11		# Black Males	0	0%
Total # Females	0	0%	# White Males	11	100%
Total # Males	11	100%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	0	0%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

**13. Bid: Thirteen Snow Plows**

Purpose of Bid: To provide the Public Works Department with Snow Plows.

Comments: Thirteen snow plows @ \$5,120 each

Opened: May 31, 2007

Bidders: Godwin Manufacturing Co. \* \$61,440.00  
Dunn, NC  
Good Roads, Inc. \$69,160.00  
Williamsport, IN

\*Awarded based on: X Low Bid \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	174		# Black Males	26	15%
Total # Females	42	24%	# White Males	70	40%
Total # Males	132	76%	# Other Males	36	21%
			# Black Females	4	2%

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# White Females	33	19%
# Other Females	5	3%

The SDBE Data Base was used in the solicitation of bids for this item.

Sufficient funds were available at the time of the award. The Administration recommends acceptance of the above bids denoted by an asterisk (\*).

**SUBJECT: BID REPORT - JUNE 2007**

**MOTION** by Council Member Stith seconded by Council Member Woodard to receive a report and to record into the minutes bids which were acted upon by the City Manager during the month of June 2007 was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**Date:** July 2, 2007

**To:** Patrick W. Baker, City Manager

**Through:** Wanda S. Page, Deputy City Manager  
Kenneth C. Pennoyer, Finance Director

**From:** Joseph W. Clark, Purchasing Manager

**Subject:** Bid Report – June 2007

**Recommendation**

To receive a report and to record into the minutes bids which were acted upon by the City Manager during the month of **June 2007**.

Apparatus, Supplies, Materials, Equipment, Construction and Repairwork:

1. **Bid:** **Eleven (11) Tailgate Mounted Salt Spreaders**

Purpose of Bid: To provide the Public Works Department with Salt Spreaders.

Comments: (11) spreaders @ \$2,875 each

Opened: May 31, 2007

Bidders: Godwin Manufacturing Co. \* \$31,625.00  
Dunn, NC

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Good Roads, Inc.  
Williamsport, IN

\$35,200.00

\*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	174		# Black Males	26	15%
Total # Females	42	24%	# White Males	70	40%
Total # Males	132	76%	# Other Males	36	21%
			# Black Females	4	2%
			# White Females	33	19%
			# Other Females	5	3%

The SDBE Data Base was used in the solicitation of bids for this item.

2. **Bid:** **Estimated Annual Requirements for Ready Mixed Concrete**

Purpose of Bid: To provide City Departments/Divisions with ready mixed concrete.

Comments:

Opened: June 1, 2007

Bidders:	Carolina Sunrock	*\$68,540.00
	Butner, NC	
	Chandler Concrete	\$90,170.00
	Burlington, NC	

\*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	203		# Black Males	83	43%
Total # Females	21	10%	# White Males	87	47%
Total # Males	182	90%	# Other Males	12	10%
			# Black Females	0	0%
			# White Females	21	10%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

3. **Bid:** **Uninterruptible Power Systems**

Purpose of Bid: To provide the Technology Solutions Department with modular/rack mounted uninterruptible powers systems.

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**Comments:**

Opened: June 4, 2007

Bidders:	GovConnection	* \$27,062.50
	Merrimack, NH	
	Insight	\$27,338.66
	Atlanta, GA	
	CDWG	\$29,209.91
	Vernon Hills, IL	

\*Awarded based on: X Low Bid \_\_\_\_\_ Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	100		# Black Males	1	1%
Total # Females	36	36%	# White Males	63	63%
Total # Males	64	64%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	35	35%
			# Other Females	1	1%

The SDBE Data Base was used in the solicitation of bids for this item.

**4. Bid: Eleven (11) Tablet Personal Computers**

Purpose of Bid: To provide the Fire Inspections Division with Tablet Personal Computers.

Comments: 11 computers @ \$2,239.18 each

Opened: May 10, 2007

Bidders:	Southern Computer Warehouse	* \$24,630.98
	Marietta, GA	
	USAT Corporation	\$27,962.00
	Chapel Hill, NC	

\*Awarded based on: X Low Bid \_\_\_\_\_ Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	20		# Black Males	0	0%
Total # Females	12	60%	# White Males	8	40%



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Total # Males	8	40%	# Other Males	0	0%
			# Black Females	1	5%
			# White Females	11	55%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

**5. Bid: One (1) Mid-sized Sedan**

Purpose of Bid: To purchase the Public Works/Transportation Division a car.

Comments:

Opened: June 6, 2007

Bidders:	Rick Hendrick Chevrolet	* \$15,980.00
	Durham, NC	
	Terry Labonte Chevrolet	\$16,577.00
	Greensboro, NC	

\*Awarded based on: X Low Bid \_\_\_\_\_ Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	100		# Black Males	21	21%
Total # Females	17	17%	# White Males	61	61%
Total # Males	83	83%	# Other Males	1	1%
			# Black Females	6	6%
			# White Females	11	11%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

**6. Bid: Sixteen (16) Police Vehicle Lightbars**

Purpose of Bid: To provide the Police Department with lightbars.

Comments: Sixteen (16) Lightbars @ \$1,194.38 each

Opened: June 4, 2007

Bidders:	Arrington Police Distributors, Inc.	* \$19,110.08
	Greensboro, NC	
	Dixie Marketing Associates, Inc.	\$21,600.00
	Fayetteville, GA	
	B & G Electronics and Communications	\$22,063.20
	Dover, NC	

**August 6, 2007**

\*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	16		# Black Males	0	0%
Total # Females	9	56%	# White Males	7	44%
Total # Males	7	44%	# Other Males	0	0%
			# Black Females	1	06%
			# White Females	8	50%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

**7. Bid: Repair Fencing at Maplewood & Beechwood Cemeteries**

Purpose of Bid: To repair the fencing at two cemeteries.

Comments:

Opened: May 31, 2007

Bidders:	Johnson Fence Company	* \$12,480.00
	Durham, NC	
	Dickerson's Fencing & Landscaping	\$12,900.00
	Durham, NC	

\*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	6		# Black Males	1	17%
Total # Females	2	33%	# White Males	3	50%
Total # Males	4	67%	# Other Males	0	0%
			# Black Females	1	17%
			# White Females	1	17%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

**8. Bid: 3M Reflective Safety Signs**

Purpose of Bid: To purchase 3M Reflective Signs for the Public Works/Water & Sewer Maintenance Division

Comments:

**August 6, 2007**

Opened: June 8, 2007

Bidders:	LT Enterprises, Inc.	*\$20,952.00
	Greensboro, NC	
	J. Harlen Company	\$25,611.20
	Raleigh, NC	
	United Rentals	\$25,671.40
	Durham, NC	

\*Awarded based on: X Low Bid \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	3		# Black Males	0	0%
Total # Females	1	34%	# White Males	1	33%
Total # Males	2	66%	# Other Males	1	33%
			# Black Females	0	0%
			# White Females	0	0%
			# Other Females	1	34%

The SDBE Data Base was used in the solicitation of bids for this item.

**9. Bid: Roof Replacement for Water Management/Household  
Hazardous Waste Building**

Purpose of Bid: To furnish all labor and materials to replace the roof at the Water Management/Household Hazardous Waste Building.

Comments:

Opened: June 8, 2007

Bidders:	Curtis Construction Co., Inc.	*\$12,484.00
	Kinston, NC	
	Riggs-Harrod Builders	\$17,082.00
	Durham, NC	
	LA Downey & Son	\$22,877.00
	Durham, NC	
	CFE Roofing Co.	\$23,667.00
	Apex, NC	

\*Awarded based on: X Low Bid \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS

**August 6, 2007**

**CORPORATION STATISTICS**

Total Workforce	64		# Black Males	4	6%
Total # Females	4	6%	# White Males	19	30%
Total # Males	60	94%	# Other	37	58%
			Males		
			# Black Females	0	0%
			# White Females	4	6%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

**10. Bid: Concrete Planter Boxes**

Purpose of Bid: To purchase concrete planter boxes for General Services/Landscape Division (12 each @ \$892.00)

Comments: Dura Art Stone is the regional distributor for art stone planter boxes.

Opened: June 8, 2007

Bidders: Dura Art Stone \*\$10,704.00  
Morrow, GA

\*Awarded based on: \_\_\_\_\_ Low Bid X Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	35		# Black Males	0	0%
Total # Females	2	10%	# White Males	4	20%
Total # Males	33	90%	# Other Males	29	70%
			# Black Females	0	0%
			# White Females	2	10%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

**11. Bid: Four (4) Mini Passenger Vans**

Purpose of Bid: To purchase vans for various City Departments.

Comments: Four (4) vans at \$17,651 each

Opened: June 8, 2007

Bidders: Rick Hendrick Chevrolet \* \$70,604.00

**August 6, 2007**

Durham, NC  
Terry Labonte Chevrolet  
Greensboro, NC  
\$71,524.00

\*Awarded based on: X Low Bid \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	100		# Black Males	21	21%
Total # Females	17	17%	# White Males	61	61%
Total # Males	83	83%	# Other Males	1	1%
			# Black Females	6	6%
			# White Females	11	11%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

**12. Bid: Swimming Pool Covers**

Purpose of Bid: To provide the Parks & Recreation Department with Swimming Pool Covers for three (3) outdoor swimming pools.

Comments: The bid from Duffield Aquatics did not include a price for installation.

Opened: June 8, 2007

Bidders:	Pool Cover Specialists	* \$23,501.60
	N. Charleston, SC	
	Duffield Aquatics, Inc.	\$23,501.62
	Walhalla, SC	

\*Awarded based on: X Low Bid \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	7		# Black Males	0	0%
Total # Females	1	14%	# White Males	5	72%
Total # Males	6	86%	# Other Males	1	14%
			# Black Females	0	0%
			# White Females	1	14%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

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**13. Bid: Individual Training Account/Supportive Service Tracking System**

Purpose of Bid: To provide the Office of Economic & Workforce Development with an Individual Training Account/Supportive Service Tracking System.

Comments:

Opened: June 1, 2007

Bidders:	Non-Profit Technologies, Inc.	* \$10,826.46
	West Palm Beach, FL	
	NFP Consultants	\$14,678.50
	St. Louis, MO	
	Entre Solutions	\$19,260.00
	Savannah, GA	

\*Awarded based on: X Low Bid \_\_\_\_\_ Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	17		# Black Males	0	0%
Total # Females	8	47%	# White Males	9	53%
Total # Males	9	53%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	8	47%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

**14. Bid: One (1) Cargo Van**

Purpose of Bid: To purchase a Cargo Van for the Police Department.

Comments:

Opened: June 14, 2007

Bidders:	Rick Hendrick Chevrolet	* \$20,620.00
	Durham, NC	
	Terry Labonte Chevrolet	\$21,408.00
	Greensboro, NC	

\*Awarded based on: X Low Bid \_\_\_\_\_ Other (See Comments)

**August 6, 2007**

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	100		# Black Males	21	21%
Total # Females	17	17%	# White Males	61	61%
Total # Males	83	83%	# Other Males	1	1%
			# Black Females	6	6%
			# White Females	11	11%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

**15. Bid: One (1) 24-ton trailer**

Purpose of Bid: To provide the Water & Sewer Maintenance division with an equipment trailer.

Comments:

Opened: April 4, 2007

Bidders:	Gregory Poole Equipment Co.	* \$15,272.00
	Raleigh, NC	
	Carter Machinery Company	\$16,765.00
	Salem, VA	

\*Awarded based on: X Low Bid \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	512		# Black Males	41	8%
Total # Females	68	13%	# White Males	386	75%
Total # Males	444	87%	# Other Males	17	3%
			# Black Females	5	1%
			# White Females	60	12%
			# Other Females	3	1%

The SDBE Data Base was used in the solicitation of bids for this item.

Sufficient funds were available at the time of the award. The Administration recommends acceptance of the above bids denoted by an asterisk (\*).

**SUBJECT: BIDS - ESTIMATED ANNUAL REQUIREMENTS FOR  
ASPHALTIC CONCRETE - CAROLINA SUNROCK  
CORPORATION**

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**MOTION** by Council Member Stith seconded by Council Member Woodard to accept the bid from Carolina Sunrock Corporation in the amount of \$612,750.00 for providing the City with its Estimated Annual Requirements for Asphaltic Concrete;

To authorize the City Manager to enter into a contract with Carolina Sunrock Corporation in the amount of \$612,750.00 for providing the City with its Estimated Annual Requirements for Asphaltic Concrete; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**SUBJECT: BIDS - ESTIMATED ANNUAL REQUIREMENTS FOR  
AGGREGATES - HANSON AGGREGATES SOUTHEAST, INC.**

**MOTION** by Council Member Stith seconded by Council Member Woodard to authorize the City Manager to enter into a contract with Hanson Aggregates Southeast, Inc., in the amount of \$281,925.00 for providing the City with its Estimated Annual Requirements for Aggregates;

To accept the bid from Hanson Aggregates Southeast, Inc., in the amount of \$281,925.00 for providing the City with its Estimated Annual Requirements for Aggregates; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**SUBJECT: LEASE OF XEROX DOCUTECH 6115 PRODUCTION  
PUBLISHER, XEROX DOCUCOLOR 252 COPIER AND EFI  
FIERY NETWORK SERVER - XERO CORPORATION**

**MOTION** by Council Member Stith seconded by Council Member Woodard to authorize the City Manager to enter into a contract with the Xerox Corporation, in the amount of \$384,367.80 for 60 month lease of a Xerox DocuTech 6115 Production Publisher, Xerox DocuColor 252 copier, and EFI Fiery Network Server; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are



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consistent with the general intent of the existing version of the contract was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**SUBJECT: REIMBURSEMENT RESOLUTION FOR COPS FUNDED PROJECTS**

**MOTION** by Council Member Stith seconded by Council Member Woodard to adopt a Resolution Declaring the Intent of the City to Reimburse itself for Capital Expenditures Incurred in connection with certain Parks and Recreation, Public Safety, Cultural and Public Building Projects and the purchase of equipment from the proceeds of certain tax-exempt obligations to be executed and delivered during calendar year 2009 was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**Resolution #9482**

**SUBJECT: ANNUAL REPORT - DURHAM OPEN SPACE AND TRAILS COMMISSION**

**MOTION** by Council Member Stith seconded by Council Member Woodard to receive the 2006 Annual Report of the Durham Open Space and Trails Commission was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**SUBJECT: ANNUAL REPORT - DURHAM HISTORIC PRESERVATION COMMISSION**

**MOTION** by Council Member Stith seconded by Council Member Woodard to receive the 2006 Annual Report of the Durham Historic Preservation Commission was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**SUBJECT: STREET ACCEPTANCE - WESTFIELD VILLAGE**

**MOTION** by Council Member Stith seconded by Council Member Woodard to accept the streets as listed for maintenance by the City of Durham was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and

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Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**Westfield Village**

- 1) **Southwest Drive** – from the east curb line of Cook Road to the centerline of Gablefield Lane (656') and
- 2) **Keswick Court** – from the centerline of Southwest Drive north thru the cul-de-sac (148') and
- 3) **Keswick Court** – from the centerline of Southwest Drive south thru the cul-de-sac (288') and
- 4) **Gablefield Lane** – from the centerline of Southwest Drive north thru the cul-de-sac (172') and
- 5) **Gablefield Lane** – from the centerline of Southwest Drive south thru the cul-de-sac (352'.)

**SUBJECT: BUSINESS LOAN REPORT MAY 2007**

**MOTION** by Council Member Stith seconded by Council Member Woodard to accept the Business Loan Report for May 2007 was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**SUBJECT: AMENDMENT TO 2006-2008 CITY OF DURHAM EMPLOYMENT AND TRAINING GRANT PROJECT ORDINANCE  
SUPERSEDING GRANT PROJECT ORDINANCE # 13397**

**MOTION** by Council Member Stith seconded by Council Member Woodard to authorize the City Manager to accept the City of Durham Employment and Training Grant by executing the grant documents; and

To adopt the City of Durham Employment and Training Grant Project Ordinance for program years 2006 - 2007 received from the Federal Government through the State of North Carolina and passed through to the Durham Local area superseding Grant Project Ordinance # 13397 was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**Ordinance #13458**

**August 6, 2007**

**SUBJECT: HEART-HEALTHY CHALLENGE AWARD**

**MOTION** by Council Member Stith seconded by Council Member Woodard to authorize the City Manager to accept the Heart-Healthy Challenge Grant by executing the grant documents; and

To adopt the Heart-Healthy Challenge Grant Project Ordinance in the amount of \$1,500.00 was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**Ordinance #13459**

**SUBJECT: SUPPLEMENTAL FIRE PROTECTION CONTRACT RENEWAL  
FOR THE PARKWOOD VOLUNTEER FIRE DEPARTMENT -  
PARKWOOD 97 ANNEXATION AREA**

**MOTION** by Council Member Stith seconded by Council Member Woodard to authorize the City Manager to execute renewal amendments to the contract with the Parkwood Volunteer Fire Department to provide supplemental fire protection to the Parkwood 97 Annexation Area; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the agreement was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**SUBJECT: ORDINANCE AMENDING SECTION 13 OF THE CITY CODE –  
USE OF CITY PARKS**

**MOTION** by Council Member Stith seconded by Council Member Woodard to adopt an Ordinance amending Section 13 of the City Code to include defining the removal of a lock to gain access to a park facility as trespassing and to set standards for use of parking lots in City parks was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**Ordinance #13460**

**August 6, 2007**

**SUBJECT: CONTRACT FOR DOMESTIC VIOLENCE PROJECT AND  
COMMUNITY LIFE COURT - ADMINISTRATIVE OFFICE OF  
THE COURTS**

**MOTION** by Council Member Stith seconded by Council Member Woodard to authorize the City Manager to execute a contract between the City of Durham and the Administrative Office of the Courts under which the Administrative Office of the Courts will expend City funds to continue to support salary and benefits for a judge to hear domestic violence cases in the community and a victim legal assistant; and for equipment, training and travel expenses for these positions in the amount of \$93,700.00; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the agreement was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**SUBJECT: RESOLUTION AUTHORIZING "FIT COMMUNITY" SIGN  
PANELS TO BE INSTALLED UNDER DURHAM CITY LIMITS  
SIGNS LOCATED ON STATE-MAINTAINED ROADS**

**MOTION** by Council Member Stith seconded by Council Member Woodard to adopt a resolution authorizing Fit Community sign panels to be installed under Durham City Limits signs at selected locations on major state-maintained roads was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**Resolution #9484**

**SUBJECT: TRANSIT BUS GRANT PROJECT ORDINANCE AMENDMENT**

**MOTION** by Council Member Stith seconded by Council Member Woodard to authorize the City Manager to accept the City of Durham FY 2006-07 Section 5307 Bus Grant by executing the grant documents; and

To adopt the City of Durham FY 2006-07 Section 5307 Bus Grant superseding Grant Project Ordinance #13304 was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**Ordinance #13461**

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**SUBJECT: AUTHORIZATION OF CONTRACT WITH PB AMERICAS, INC. -  
MPO GIS INTEGRATION (WAREHOUSE) AND AUTOMATION**

**MOTION** by Council Member Stith seconded by Council Member Woodard to authorize the City Manager to execute a contract for \$263,838.00 with PB Americas, Inc. for the development of the MPO GIS Integration (Warehouse) and Automation; and

To authorize the City Manager to modify the contract prior to execution provided the modifications do not increase the dollar amount of the agreement and the modifications are consistent with the general intent of the version of the agreement was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**SUBJECT: LEASE OF XEROX 4110 PRINTER - XERO CORPORATION**

**MOTION** by Council Member Stith seconded by Council Member Woodard to authorize the City Manager to execute a 36 month contract with Xerox Corporation in the amount of \$135,350.28 for the lease of a Xerox 4110 printing system; and

To authorize the City Manager to modify the contract before execution provided that the modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**SUBJECT: CONTRACT FOR WATER RECLAMATION FACILITIES SCADA  
SYSTEMS - LORD & COMPANY, INC.**

**MOTION** by Council Member Stith seconded by Council Member Woodard to authorize the City Manager to execute a contract with Lord & Company, Inc. in the amount of \$1,173,900.00 for services and materials as necessary to complete the Water Reclamation Facilities SCADA Systems;

To establish a contingency fund for the contract in an amount of \$176,100.00;

To authorize the City Manager to negotiate change orders provided that the cost of all change orders does not exceed \$176,100.00 and the total project cost does not exceed \$1,350,000; and

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To authorize the City Manager to make changes to the contract before execution provided the changes do not increase the amount to be paid by the City and do not decrease the goods and services to be provided to the City was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**SUBJECT: CONTRACT SR-48 - UTILITY EASEMENT MAINTENANCE  
MOWING/HAND CUTTING - BUSHHOG AMERICA, INC.**

**MOTION** by Council Member Stith seconded by Council Member Woodard to authorize the City Manager to execute a contract with Bushhog America, Inc. for Contract SR-48 - Utility Easement Maintenance Mowing/Hand Cutting in the amount of \$574,000.00 and;

To authorize the City Manager to make changes to the contract before execution provided the changes do not increase the amount to be paid by the City and do not decrease the goods and services to be provided to the City was approved at 7:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**The City Council disposed of the following agenda items at the July 19, 2007 Work Session.**

**18. Proposed Sale of Property at 516-A Eastway Avenue PIN# 0831-10-45-6470, 520-C Eastway Avenue PIN# 831-10-45-6575, 1321 Taylor Street PIN# 0831-10-45-5122 and 1403 Taylor Street PIN # 831-10-45-6066**

To determine the properties at 516-A and 520-C Eastway Avenue and 1321 and 1403 Taylor Street as surplus;

To authorize the sale of the properties under the authority of Section 86 of the City Charter;

To accept the offers to purchase for the properties located at 516-A and 520-C Eastway Avenue and 1321 and 1403 Taylor Street; and

To authorize the City Manager to sell and the Mayor to convey the properties by a non-warranty deed and authorize the City Manager to terminate these contracts for sale if the contract terms are not fulfilled.

(Resource Person: Richard Valzonis – 4570 ext. 226) (Attachment #18 - 4 pages) (PR# 4192)

**Note: This item was approved at the July 19, 2007 Work Session with a vote of 6/0.**

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**26. Right of Entry Agreement to Self-Help Community Development Corporation**

To authorize the City Manager to execute and make changes to the Right of Entry Agreement prior to execution, with Self-Help Community Development Corporation.

(Resource Person: Sandra K. Harper – 4197 ext. 243) (Attachment #26 - 7 pages) (PR# 4171)

**Note: This item was approved at the July 19, 2007 Work Session with a vote of 6/0.**

**36. Housing Appeal Board Annual Report**

To receive an Annual Report for the period of January 1, 2006 to June 30, 2007 from the Chair of the Housing Appeal Board.

(Resource Person: Michael Shiflett, Chair – 4570) (Attachment #36 – 13 pages) (PR# 4179)

**Note: A report was received at the July 19, 2007 Work Session.**

**38. 2007 ITRE Pavement Condition Survey**

To receive a presentation on the 2007 ITRE Pavement Condition Survey.

(Resource Person: Kathryn Kalb – 4326 ext. 225) (PR# 4209)

**Note: A presentation was received at the July 19, 2007 Work Session.**

**46. Unified Development Ordinance (UDO) Text Amendment – Firm Technical Changes (TC07-09)**

To conduct a public hearing and receive public comments on the Unified Development Ordinance (UDO) Text Change - FIRM Technical Changes (TC07-09); and

To adopt an Ordinance amending the Unified Development Ordinance, the same being Chapter 24 of the Durham City Code, incorporating revisions to Article 8, Environmental Protection.

(Resource Person: Frank M. Duke, AICP – 4137 ext. 213) (Attachment #46 - 3 – 5 pages) (PR# 4210)

**Note: A public hearing was held and this item was approved at the July 19, 2007 Work Session.**

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**[GENERAL BUSINESS AGENDA]**

**SUBJECT: POLICE DEPARTMENT'S CRIME REPORT - SECOND  
QUARTER 2007**

To receive a presentation on the Police Department's Crime Report for the second quarter of 2007.

Police Chief Steve Chalmers gave a power point presentation on the 2nd Quarter 2007 Crime Report highlighting: Summary of 2nd Quarter Report: [property crimes and larcenies are at four-year lows; 2) index crimes, murders, rapes and robberies are the second-lowest totals in four years; 3) violent crimes, aggravated assaults and motor vehicle thefts are the second highest totals in four years; and 4) burglaries are at a four-year high]; sworn staffing; non-sworn staffing; aggravated assault numbers; all index crimes, January- June 2004 - 2007 comparisons; all index crimes-2nd quarter 2007 percentage of crimes by category; all index violent crimes, January - June 2004-2007 comparisons; Homicide, January-June 2004-2007 comparisons; rape, January - June 2004-2007 comparisons; robbery, January - June 2004-2007 comparisons; aggravated assault, January - June 2004-2007 comparisons; all index property crime, January - June 2004-2007 comparisons; burglary, January - June 2004-2007 comparisons; larceny, January - June 2004-2007 comparisons; motor vehicle theft, January - June 2004-2007 comparisons; 2Q firearms seizures; and the bull's eye initiative.

Council held discussion on: homicides related to gangs for 2007 (1).

Mayor Bell asked the administration to track and provide information how many aggravated assaults and violent crimes, etc. are related to gang activity in future reports.

Mayor Pro Tempore Cole-McFadden asked the Chief to provide stats regarding youth involvement in crime: how many are 1st time offenders and what types of referrals are being made to help them.

Council held discussion on the effectiveness of the gang prosecutor position.

Council Member Stith made comments on fear expressed from residents as it relates to threats made in the court by a recent gang member that was convicted.

Police Chief Chalmers commented on meeting held with the District Attorney and jurors.

Council Member Stith asked the administration to include the gang validation number along with information on the gang unit and its activities in all future reports.

Council held discussion on the impact of numbers since the 2006 software change; thanked the Police Chief for his many years of service, Bull's Eye initiative; community



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policing; incident in court room; and quadruple murders.

Council Member Brown made comments on jurors' safety and suggested that camera cell phones be prevented from coming into the court/jury room.

Police Chief Chalmers provided an update on quadruple murders noting it still remains an active investigation. He made comments on upcoming meetings with the District Attorney's Office and family members.

Council held discussion on the mobile unit; the Bull's eye initiative; juror safety—coordinating efforts with the Sheriff's Office; and the taser.

Police Chief Chalmers gave an update on the implementation of the taser. He reported three officers have attended the train the trainer training, staff will come to Council with an agenda item to request the use of asset forfeiture funds for 100 tasers which will be the initial purchase and the majority of these would be placed in the unit patrol ranks. He noted everyone should be trained and the taser in use by the first of the year.

Council Member Catotti reported several members of Council participated in a CAN Youth Action training. She shared that the youth of Durham felt safe in their schools and neighborhoods, and that the school trips to the jail were very informative.

Mayor Bell congratulated Chief Chalmers on the accreditation.

Victoria Peterson stated it is very hard for local African American men who have been in trouble with the law to receive work. She noted we need to empower our young men with jobs and not jail.

**Note: Council took no action on this item.**

**SUBJECT: INTRODUCTION OF BOND ORDER AND CALLING A PUBLIC HEARING FOR 2007 GO BOND REFERENDUM**

To introduce the Bond Order Authorizing the Issuance of \$20,000,000.00 General Obligation Street and Sidewalk Bonds; and

To adopt a Resolution Regarding a Bond Order Authorizing the Issuance of \$20,000,000.00 General Obligation Street and Sidewalk Bonds and Setting a Public Hearing thereon and Directing Publication of a Notice of Public Hearing.

Finance Director Ken Pennoyer made comments on this item. He referenced that this item is the second of three agenda items containing the actions needed to authorize the 2007 General Obligation Bond referendum. He stated the first item approved at the June 18, 2007 Council Meeting included among other things resolutions authorizing the application to the Local Government Commission [LGC] and making certain statements

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of facts concerning the proposed bond issuance; the item on the agenda tonight is for the introduction of the bond order and the adoption of the resolution setting a public hearing for the bond order and the third agenda item will be discussed at the August 20, 2007 City Council Meeting that includes a public hearing, adopting a bond order and resolution setting a special bond referendum and directing publication of notice.

Finance Director Ken Pennoyer read the title of the resolution: Resolution of the City of Durham Regarding a Bond Order Authorizing the Issuance of \$20,000,000.00 General Obligation Street and Sidewalk Bonds Setting a Public Hearing Thereon and Directing Publication of the public hearing. He stated the Resolution sets the public hearing for 7 p.m. on August 20, 2007 in the Council Chambers at City Hall. It also directs the City Clerk to advertise the public hearing and the Finance Director to file a statement of debt with the City Clerk prior to the public hearing.

Mayor Bell introduced bond orders by title: Bond Order Authorizing the Issuance of \$20,000,000 General Obligation Street and Sidewalk Bonds of the City of Durham, North Carolina. The Mayor asked the City Clerk to include the full text of the bond order, copies of which have been made available to City Council, in the minutes of this meeting.

Council Member Stith asked the administration to ensure citizens are aware of the tax implication associated with the 2005 and upcoming bonds and the process/selection criteria for streets and sidewalks that will be paved if the bonds are passed.

**MOTION** by Council Member Woodard seconded by Council Member Catotti to introduce the Bond Order Authorizing the Issuance of \$20,000,000.00 General Obligation Street and Sidewalk Bonds; and

To adopt a Resolution Regarding a Bond Order Authorizing the Issuance of \$20,000,000.00 General Obligation Street and Sidewalk Bonds, Setting a Public Hearing thereon and Directing Publication of a Notice of the of the City of Durham was approved at 8:56 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**Resolution #9485**

**“BOND ORDER AUTHORIZING THE ISSUANCE OF  
\$20,000,000 GENERAL OBLIGATION STREET AND  
SIDEWALK BONDS OF THE CITY OF DURHAM, NORTH  
CAROLINA”**

*WHEREAS*, the City of Durham, North Carolina (the “City”) desires to raise \$20,000,000 to provide for the costs of constructing, enlarging, extending and improving certain of the City’s streets and sidewalks; and

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*WHEREAS*, an application has been filed with the Secretary of the Local Government Commission of North Carolina requesting Commission approval of the general obligation street and sidewalk bonds described as required by the Local Government Bond Act, and the City Clerk has notified the City Council that the application has been accepted for submission to the Local Government Commission.

*NOW, THEREFORE, BE IT ORDERED* by the City Council of the City of Durham, North Carolina, as follows:

Section 1. In order to raise the money required for the projects described above, in addition to any funds which may be made available for such purpose from any other source, general obligation street and sidewalk bonds of the City are hereby authorized and shall be issued pursuant to the Local Government Finance Act of North Carolina. The maximum aggregate principal amount of such general obligation street and sidewalk bonds authorized by this order shall be \$20,000,000.

Section 2. A tax sufficient to pay the principal of and interest on said general obligation street and sidewalk bonds when due shall be annually levied and collected.

Section 3. A sworn statement of the City's debt has been filed with the City Clerk and is open to public inspection.

Section 4. This bond order shall take effect when approved by the voters of the City at a referendum scheduled for November 6, 2007.

**SUBJECT: PROPOSED SALE OF SURPLUS REAL ESTATE LOCATED 650 AND 686 HOLLOWAY, 701 MALLARD, AND 207 DOWD STREET**

To declare 650 Holloway St., 686 Holloway St., and 701 Mallard as surplus property;

To accept the following bids to purchase the respective properties: (i) Shoshanna Kashdan for \$40,100.00 for 207 Dowd St., (ii) Eddie Falcocchia for \$8,525.00 for 650 and 686 Holloway St.; and (iii) VLBP Realty, LLC for \$4,000 for 701 Mallard St.; and

To authorize the City Manager to sell and the Mayor to convey the properties with a non-warranty deed subject to reservations and easements to be retained by the City.

Mayor Bell referenced properties that were approved at the July 19, 2007 City Council Work Session--116 E. Corporation, 945 E. Main Street, 1000 E. Main Street, 2218 E. Main Street and 321 Martin Luther King, Jr. Parkway.

City Manager Baker made comments on the additional memo provided to Council dated July 26 which highlighted the proposed usage of the properties from the bidders.

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Nadine LaFell, 3622 Danube Lane, noted she placed a bid on 207 Dowd Street when the property was listed on the non-profit list, but it has been removed from that list and placed in the public pool. She stated she was not the highest bidder, but urged Council to consider her bid for the property.

City Manager Baker reported the non-profit policy issue will be discussed at the August 9, 2007 work session, but these transactions do not implicate that policy. He made comments on the bid history and noted staff is recommending the sale of these properties to the highest bidder.

**MOTION** by Council Member Woodard seconded by Council Member Catotti to declare 650 Holloway St., 686 Holloway St., and 701 Mallard as surplus property;

To accept the following bids to purchase the respective properties: (i) Shoshanna Kashdan for \$40,100.00 for 207 Dowd St., (ii) Eddie Falcocchia for \$8,525.00 for 650 and 686 Holloway St.; and (iii) VLBP Realty, LLC for \$4,000 for 701 Mallard St.; and

To authorize the City Manager to sell and the Mayor to convey the properties with a non-warranty deed subject to reservations and easements to be retained by the City was approved at 9:02 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

#### **[PUBLIC HEARINGS]**

**SUBJECT: ZONING MAP CHANGE - 5274 ROXBORO ROAD (Z07-22)  
PHILLIP DULA**

To conduct a public hearing to receive public comments on the zoning map change for 5274 Roxboro Road (Z07-22);

To adopt an ordinance amending the Unified Development Ordinance, the same being Chapter 24 of the Durham City Code, by taking the described property in zoning map change case Z07-22 out of CN; E-B and placing same in and establishing same as CG; E-B; and

To adopt as support for its action on the proposed zoning map change the determinations that the action is consistent with the Comprehensive Plan and is reasonable and in the public interest in light of information presented in the public hearing and in the accompanying agenda materials; or Alternatively, in the event that a motion to approve the item fails, the Council adopts as support for its action on the proposed zoning map change the determination that, notwithstanding its consistency with the Comprehensive Plan, the request is neither reasonable nor in the public interest in light of information presented in the public hearing and in the accompanying agenda materials.

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Staff Recommendation: Approval, based on consistency with the Comprehensive Plan, and considering the information contained in this report.

Planning Commission Recommendation and Vote: Approval, 12-0 on June 12, 2007. The Planning Commission finds that the ordinance request is consistent with the adopted Comprehensive Plan. The Commission believes the request is reasonable and in the public interest and recommends approval based on the information in the staff report and comments received during the public hearing.

City/County Planning Director Frank Duke acknowledged he has all the required certifications that notice was provided for all of the Planning Department items that are public hearings as required by North Carolina law.

Mr. Duke briefed Council on the zoning map change commenting on the uses. He noted the request is compatible with other uses in the neighborhood, there are no environmental constraints and the request is consistent with the Comprehensive Plan. He noted staff and the Planning Commission recommended approval.

Mayor Bell opened the public hearing.

Mayor Pro Tempore Cole-McFadden asked if there were comments from the River Forest Neighborhood.

City/County Planning Director Frank Duke stated notices were sent out to all registered neighbor-hoods and the River Forest Neighborhood is not registered with the City.

Mayor Pro Tempore Cole-McFadden asked about the magnitude of vehicle sales on this small lot.

Mr. Duke informed Council there is no development plan associated with this request and there are no limitations on the uses.

Phillip Dula, the applicant, noted the vehicle sales proposal has not been settled. Mr. Dula commented on the u-haul leasing that is now on the site and the surrounding uses in the area.

Mayor Pro Tempore Cole-McFadden expressed concern that the River Forest Neighborhood did not have any comments and urged Mr. Dula to make sure the area is attractive.

Phillip Dula, the applicant, stated the President from River Forest attended the Planning Commission Meeting.

Council held discussion on the uses under the requested zoning.

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Mayor Bell closed the public hearing.

**MOTION** by Council Member Stith seconded by Council Member Woodard to conduct a public hearing to receive public comments on the zoning map change for 5274 Roxboro Road (Z07-22);

To adopt an ordinance amending the Unified Development Ordinance, the same being Chapter 24 of the Durham City Code, by taking the described property in zoning map change case Z07-22 out of CN; E-B and placing same in and establishing same as CG; E-B; and

To adopt as support for its action on the proposed zoning map change the determinations that the action is consistent with the Comprehensive Plan and is reasonable and in the public interest in light of information presented in the public hearing and in the accompanying agenda materials was approved at 9:13 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**Ordinance #13462**

**SUBJECT: UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT  
AMENDMENT - FLOODPLAIN FILL (TC07-05)**

To conduct a public hearing to receive public comments on the Unified Development Ordinance (UDO) Text Change - Floodplain Fill (TC07-05); and

To adopt an Ordinance amending the Unified Development Ordinance, the same being Chapter 24 of the Durham City Code, incorporating revisions to Article 2, Review Authority; Article 3, Applications and Permits; Article 8, Environmental Protection; Article 14, Nonconformities; and Article 16, Definitions.

City/County Planning Director Frank Duke briefed Council on the text amendments regarding floodplain fill. He noted staff and the Planning Commission recommended approval.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

Council held discussion on the notification process.

There being no one present to speak in support for or against this item, Mayor Bell closed the public hearing.

**MOTION** by Council Member Stith seconded by Council Member Catotti to conduct a public hearing to receive public comments on the Unified Development Ordinance

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(UDO) Text Change - Floodplain Fill (TC07-05); and

To adopt an Ordinance amending the Unified Development Ordinance, the same being Chapter 24 of the Durham City Code, incorporating revisions to Article 2, Review Authority; Article 3, Applications and Permits; Article 8, Environmental Protection; Article 14, Nonconformities; and Article 16, Definitions was approved at 9:13 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**Ordinance #13463**

**SUBJECT: PLAN AMENDMENT - LOWES GROVE (A07-08) - NORTHEAST CORNER OF INTERSECTION OF SOUTH ALSTON AVENUE AND NC 54 - COUNTY OF DURHAM**

To conduct a public hearing to receive public comments on the Lowes Grove Plan Amendment (A07-08); and

To adopt a resolution to change the Land Use designation on the Future Land Use Map of the Durham Comprehensive Plan from Office to Commercial.

Staff Recommendation: Approval, based on the justification and meeting the four criteria for plan amendments

Planning Commission Recommendation: Approval, 8-4, June 12, 2007, based on the justification and meeting the four criteria for plan amendments.

City/County Planning Director Frank Duke briefed Council on the plan amendment. He reported the County of Durham indicated the basis for this request is a closer examination of the land use pattern in the area indicating all other parcels are already designated as commercial. He noted staff and the Planning Commission recommended approval of this request.

Mayor Bell opened the public hearing.

Deputy County Manager Wendell Davis noted he was present to answer questions.

Randal Haithcock, of 1304 Seaton Road, expressed concern that the County has not anticipated the impact of placing a library on this property in the midst of the commercial and multi-family development. He noted there is no evidence from the County, along with NCDOT and the City, that they will be planning to make it easier and safer for students to walk to the library, or if there will be sidewalks. He urged Council to deny this request until the County can present the public with a more concrete proposal to address public concerns about its impact.

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County Engineer Glen Whisler made comments on the site noting this request is for 6.25 acres of the 16-acre site. He noted the County purchased this property in May 2004 to use it as the site for the South Regional Library. He noted a site plan has been submitted for the library; some of the property has been identified as a potential future site for an EMS station and commented on working with a developer for the remaining 11 acres to develop a mixed-use development with uses that would be compatible with a regional library. He stated there would be a sidewalk along Alston Avenue to accommodate pedestrian movement.

Mayor Bell asked the applicant would there be a sidewalk along Alston Avenue that runs to Highway 54 once the library has been constructed.

County Engineer Glen Whisler noted there would be about 300 feet where the County is requesting a change in the land use plan where they would not be developing. He reported the sidewalk would begin along Alston Avenue and continue to the next intersection that is adjacent to the old 2-story school building--so it would not be continuous along the entire Alston Avenue frontage.

City/County Planning Director Frank Duke briefed Council on the City's ordinance requirement for sidewalks.

Mayor Bell made comments in support of library, but expressed concern with sidewalk not running the entire length.

Deputy County Manager Wendell Davis made comments noting the County is working on the development agreement with the developer and all deal points have not been consummated today, but would be made a part of the development agreement, that being, to have the sidewalk for the last 300 feet continued. Mr. Davis stated there would be a sidewalk.

Mayor Bell closed the public hearing.

**MOTION** by Council Member Stith seconded by Council Member Woodard to conduct a public hearing to receive public comments on the Lowes Grove Plan Amendment (A07-08); and

To adopt a resolution to change the Land Use designation on the Future Land Use Map of the Durham Comprehensive Plan from Office to Commercial was approved at 9:24 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**Resolution #9486**



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**SUBJECT: PLAN AMENDMENT - ANGIER HAVEN (A07-05) – NORTH SIDE OF ANGIER AVENUE ACROSS FROM ITS INTERSECTION WITH WRENN ROAD – TONY M. TATE, TONY M. TATE LANDSCAPE ARCHITECTURE**

To conduct a public hearing to receive public comments on the Angier Haven Plan Amendment (A07-05); and

To adopt a resolution to change the Land Use designation on the Future Land Use Map of the Durham Comprehensive Plan from Commercial to Low-Medium Density Residential (4-8 DU/Ac.). Staff Recommendation: Approval based on the justification and meeting the criteria for plan amendments Planning Commission Recommendation: Approval, 12-0, May 8, 2008, based on information provided in the staff report and the previous Planning Commission action to approve a similar request

City/County Planning Director Frank Duke briefed Council on the staff report. He reported this request is in the City and County and the Board of County Commissioners approved this request at its July 23, 2007 meeting. He noted the request is consistent with the Comprehensive Plan, staff and the Planning Commission recommended approval of this item.

Mayor Bell opened the public hearing. There being no one to speak in support for or against this item, the Mayor closed the public hearing.

**MOTION** by Council Member Stith seconded by Council Member Catotti to conduct a public hearing to receive public comments on the Angier Haven Plan Amendment (A07-05); and

To adopt a resolution to change the Land Use designation on the Future Land Use Map of the Durham Comprehensive Plan from Commercial to Low-Medium Density Residential (4-8 DU/Ac.) was approved at 9:27 p.m. by the following vote: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**Resolution #9487**

**SUBJECT: PLAN AMENDMENT-EVALUATION AND ASSESSMENT REPORT AMENDMENTS (A07-07)**

To conduct a public hearing to receive public comments on the Evaluation and Assessment Report Amendments Plan Amendment (A07-07); and

To adopt a resolution to rectify the Future Land Use Map of the Durham Comprehensive Plan by approving the map changes approved by the Board of Commissioners, and

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amend the Durham Comprehensive Plan to define the Downtown Tier as the central business district for purposes of NCGS 160A-458.3.

Staff Recommendation: Approval Planning Commission Recommendation: Approval, 12-0, on May 8, 2007

City/County Planning Director Frank Duke briefed Council on the plan amendment. He noted staff is recommending the addition of one policy to the Comprehensive Plan which was requested by the City Attorney's Office that would provide for the designation of the Downtown Tier of Durham--as reflected in the Comprehensive Plan as the Central Business District. In addition, he noted this request would allow the City to ratify two plan amendments that were approved by the Board of County Commissioners in 2006. He noted staff and the Planning Commission recommended approval.

Mayor Bell opened the public hearing.

Council Member Stith asked staff what is the implication of designating downtown as a business district in this tier.

City/County Planning Director reported it authorizes the City to provide for expenditures and grants in a larger area.

Mayor Bell closed the public hearing.

**MOTION** by Council Member Stith seconded by Council Member Woodard to conduct a public hearing to receive public comments on the Evaluation and Assessment Report Amendments Plan Amendment (A07-07); and

To adopt a resolution to rectify the Future Land Use Map of the Durham Comprehensive Plan by approving the map changes approved by the Board of Commissioners, and amend the Durham Comprehensive Plan to define the Downtown Tier as the central business district for purposes of NCGS 160A-458.3 was approved at 9:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**Resolution #9488**

**SUBJECT: STREET CLOSING - TWO UNNAMED ALLEYS OFF CORPORATION AND GURLEY STREETS - TO PERMANENTLY CLOSE 125.58 LINEAR FOOT AND 178.04 LINEAR FOOT UNNAMED ALLEYS (SC07-02) - UNION MISSIONARY BAPTIST CHURCH**

To conduct a public hearing to receive public comments on the closing of a 125.58 linear foot unnamed alley off of Corporation Street, west of North Roxboro Street and west of

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Gurley Street and a 178.04 linear foot portion of an unnamed alley off of Gurley Street, north of Dowd Street and South of Corporation Street; and

To adopt an Order permanently closing a 125.58 linear foot unnamed alley off of Corporation Street, west of North Roxboro Street and west of Gurley Street and a 178.04 linear foot portion of an unnamed alley off of Gurley Street, north of Dowd street and South of Corporation Street, conditioned on the recombination of lots.

City/County Planning Director Frank Duke briefed Council on the street closing. He noted staff evaluated the request and has determined there are no adverse impacts as a result of this request. He noted staff recommended approval of this request.

Mayor Bell opened the public hearing. There being no one to speak in support for or against this item, the Mayor closed the public hearing.

**MOTION** by Council Member Stith seconded by Council Member Woodard to conduct a public hearing to receive public comments on the closing of a 125.58 linear foot unnamed alley off of Corporation Street, west of North Roxboro Street and west of Gurley Street and a 178.04 linear foot portion of an unnamed alley off of Gurley Street, north of Dowd Street and South of Corporation Street; and

To adopt an Order permanently closing a 125.58 linear foot unnamed alley off of Corporation Street, west of North Roxboro Street and west of Gurley Street and a 178.04 linear foot portion of an unnamed alley off of Gurley Street, north of Dowd street and South of Corporation Street, conditioned on the recombination of lots was approved at 9:31 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**Ordinance #13464**

**SUBJECT: STREET CLOSING - WOODBARK LANE - TO PERMANENTLY CLOSE A 261.67 LINEAR FOOT PORTION OF THE WOODBARK LANE RIGHT-OF-WAY (SC07-03) – WILLIE ALLEN**

To conduct a public hearing to receive public comments on the closing of a 261.67 linear foot portion of Woodbark Lane, west of North Miami Boulevard and east of Alma Street; and

To adopt an Order permanently closing a 261.67 linear foot portion of Woodbark Lane, west of North Miami Boulevard and east of Alma Street, conditioned on the approval of a recombination plat.

City/County Planning Director Frank Duke briefed Council on the street closing. He noted staff evaluated the request and has determined there are no adverse impacts as a

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result of this request. He noted staff recommended approval of this request.

Mayor Bell opened the public hearing. There being no one to speak in support for or against this item, the Mayor closed the public hearing.

**MOTION** by Council Member Stith seconded by Council Member Woodard to conduct a public hearing to receive public comments on the closing of a 261.67 linear foot portion of Woodbark Lane, west of North Miami Boulevard and east of Alma Street; and

To adopt an Order permanently closing a 261.67 linear foot portion of Woodbark Lane, west of North Miami Boulevard and east of Alma Street, conditioned on the approval of a recombination plat was approved at 9:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**Ordinance #13465**

**[ITEMS PULLED FROM CONSENT AGENDA]**

**SUBJECT: CONTRACT WITH DURHAM ARTS COUNCIL, INC. TO FUND THE ESTABLISHMENT OF A DURHAM CHAPTER OF THE ARTS AND BUSINESS COUNCIL**

Council Member Woodard made comments in support of the work accomplished by the Durham Arts Council.

**MOTION** by Council Member Stith and Council Member Catotti to authorize the City Manager to execute a contract with Durham Arts Council, Inc. in the amount of \$40,000.00 for establishment of a Durham Chapter of The Arts and Business Council; and

To authorize the City Manager to make modifications to the contract so as long as the modifications do not increase the dollar amount or decrease the scope of services provided to the City was approved at 9:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**SUBJECT: RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE RIGHT OF ENTRY AGREEMENTS**

Gene Cook, of 603 E. Hammond Street, expressed concerns with the Sample Right of Entry Agreement which appears to be outside the normal real estate practice in which a fee is being charged to a prospective buyer to inspect property and with Item #3 on page 1 of agreement which mandates copies of analytical results be given to the City.

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City Attorney Blinder outlined the purpose of this agenda item. He noted it would delegate authority to approve whatever agreement is negotiated to the City Manager as opposed to coming back to Council. He stated the business terms of the agreement are not being set tonight.

**MOTION** by Mayor Pro Tempore Cole-McFadden seconded by Council Member Woodard to adopt a Resolution authorizing the City Manager to execute Right of Entry Agreements where the form of the agreements has been reviewed by the City Attorney was approved at 9:40 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**Resolution #9483**

**SUBJECT: HOUSING APPEALS BOARD - APPOINTMENT**

To appoint a citizen to fill one (1) vacancy as an Alternate Member to represent At-Large on the Housing Appeals Board with the term to expire on June 30, 2010.

City Clerk Gray announced that Celeste S. Toombs was appointed by ballot with four votes.

There being no further business to come before the City Council, the meeting was adjourned at 9:40 p. m.

Linda E. Bratcher  
Deputy City Clerk

D. Ann Gray, CMC  
City Clerk